

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LISHAY LAVI, NOACH NEWMAN, ADIN
GESS, MAYA PARIZER, NATALIE
SANANDAJI, YONI DILLER, HAGAR
ALMOG, DAVID BROMBERG, LIOR
BAR OR, AND ARIEL EIN-GAL,

Plaintiffs,

v.

UNRWA USA NATIONAL COMMITTEE,
INC.,

Defendant.

Civil Case No. 24-cv-00312 (RGA)

NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiffs respectfully submit this Notice of Supplemental Authority to apprise the Court of the Southern District of New York’s recent decision in *Raanan v. Binance Holdings Ltd.*, 2025 WL 605594 (S.D.N.Y. Feb. 25, 2025) (attached as Ex. A), which is relevant to the Court’s consideration of Defendant UNRWA USA’s pending Motion to Dismiss (D.I. 21) Plaintiffs’ Complaint (D.I. 1).

In *Raanan*, the court considered the same issues before this Court, based on similar facts: specifically, whether the plaintiffs, victims of October 7th, adequately alleged that the defendants, a cryptocurrency platform and its owner, “were generally aware that they were playing a role in Hamas’s ... overall terrorist activities, and that the defendants provided knowing and substantial assistance with respect to the [October 7th] attacks” (*id.* at *24) such that the complaint “state[d] a claim for aiding-and-abetting liability under JASTA” (the Justice Against Sponsors of Terrorism Act). *Id.* at *18.

The *Raanan* decision is relevant to understanding the overall nature of secondary liability

under the Antiterrorism Act (ATA) and, in particular, its flexibility at the pleading stage. Specifically, the court held that the complaint stated a secondary liability claim under the ATA and that this was the only outcome consistent with the Supreme Court’s admonition in *Twitter, Inc. v. Taamneh*, 598 U.S. 471, 493 (2023), that Congress did not intend that JASTA be interpreted, nor the framework in *Halberstam v. Welch*, 705 F.2d 472 (D.C. Cir. 1983), applied, with such “‘rigid[ity]’” that the “‘conceptual core’” is lost—namely, that a defendant is liable for aiding and abetting under JASTA where the defendant “‘consciously and culpably participated in a wrongful act so as to help make it succeed.’” *Raanan*, 2025 WL 605594, at *18 (quoting *Twitter*, 598 U.S. at 493).

Plaintiff is prepared to supplement its briefing in opposition to the Motion to Dismiss to provide the Court with a more comprehensive analysis of *Raanan* if such briefing were to be of assistance to the Court.

Dated: March 6, 2025

Respectfully submitted,

/s/ Theodore A. Kittila

Theodore A. Kittila (Bar No. 963)

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